

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

HANNAH ASHROOK,

Plaintiff,

v.

MEIGS COUNTY TENNESSEE,
ET AL.,

Defendants.

No. 1:24-CV-165-CLC-SKL
JURY DEMAND

UNOPPOSED MOTION TO EXTEND SCHEDULING ORDER DEADLINES

Comes NOW Defendant Ben Christian (“Defendant”, or Defendant Christian”), by and through undersigned counsel, pursuant to Rule 16(b) of the *Federal Rules of Civil Procedure*, and *LRCP 16.1(a)*, and for good cause shown, respectfully requests that this Honorable Court modify the Scheduling Order in this case and extend current deadlines for both the completion of all discovery for purposes of resolving the issue of judicial immunity and the deadline for filing dispositive motions related to the issue of judicial immunity.

In support of his Motion, Defendant Christian would show as follows:

1. On August 5, 2024, the Court entered a Scheduling Order (Doc. 17) setting various pretrial deadlines. The Scheduling Order did not set the case for trial. Instead, the Scheduling Order notes that the Court will hold an additional scheduling conference or conferences after issuing its decision on judicial immunity. (Doc. 17, PageID#94).
2. The parties in this case and their counsel have worked diligently and in good faith to complete all discovery relating to the issue of judicial immunity by October 31, 2024.

3. It has very recently become apparent that the parties need additional time to complete all discovery necessary to address the issue(s) of judicial immunity. Namely, additional time is needed to take the deposition of Defendant Ben Christian.
4. The parties have coordinated to schedule numerous discovery depositions, including the deposition of Ben Christian. It is believed that the parties will complete all discovery depositions on the issue of judicial immunity within the current deadline, except for the deposition of Defendant Ben Christian.
5. Defendant Ben Christian recently underwent an emergency Appendectomy, and for a significant period of time, was unable to communicate with his counsel of record to the extent that a party would normally communicate regarding depositions and other scheduling issues in a lawsuit. He has returned to work and only recently became aware of a scheduling conflict on the date that the parties agreed to schedule discovery depositions.
6. Defendant Christian is scheduled to attend a weeklong training for Field Training Officers the week of October 14, 2024, at an out-of-town law enforcement agency. This training is pre-paid and non-refundable. It is not a training opportunity that is routinely available and cannot be rescheduled. For those reasons, Mr. Christian is unavailable during the week that other discovery depositions are scheduled in this case.
7. Counsel for all parties have discussed other possible dates to take Ben Christian's deposition before the October 31, 2024, discovery deadline, but counsel on this case have no other mutually available dates for taking Ben Christian's deposition.
8. Undersigned counsel would show that neither Plaintiff's counsel nor any other attorney of record in this case oppose this Motion, and the parties agree that a brief, 30-day

extension of the deadline for completing all discovery related to judicial immunity and a commensurate extension of the deadline for filing dispositive motions on the issue of judicial immunity is appropriate to allow the parties to complete the deposition of Ben Christian.

9. The parties agree that no party in this case will be prejudiced by an extension of the remaining deadlines in the Scheduling Order.

WHEREFORE, Defendant Ben Christian moves this Honorable Court for a 30-day extension of the deadline to complete all discovery related to judicial immunity until November 29, 2024, and a commensurate extension of the deadline for filing dispositive motions related to judicial immunity until December 31, 2024.

Respectfully Submitted this 8th day of October 2024.

LAW OFFICE OF W. ADAM IZELL, PLLC

/s/ W. Adam Izell

By: W. ADAM IZELL, TN BPR #028438

P.O. Box 4386

Chattanooga, TN 37405

Telephone: (423) 888-3022

Fax: (423) 888-3042

E-mail: adam@chattlawyer.com

Counsel for Defendant Ben Christian

CERTIFICATE OF SERVICE

I hereby certify that on October 8, 2024, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served via regular U.S. Mail. Parties may access this filing through the Court's electronic filing system

/s/ W. Adam Izell
W. ADAM IZELL, ESQ.